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5 **UNITED STATES DISTRICT COURT**
6 **DISTRICT OF NEVADA**

7 JANIX, INC., et al.,)
8 vs.) Plaintiffs,) Case No. 2:11-cv-01502-LDG-PAL
9)) **ORDER**
10 MARK WRHEL, et al.,)) (Mtn to Renew - Dkt. #88)
11) Defendants.) (Mtn for Hearing - Dkt. #105)
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13 This matter is before the court on Plaintiffs/Counter-Defendants Rick Tosado's, Janix Inc.'s,
14 Nado's, and Amberick, LLC's ("Plaintiffs") Emergency Motion to Renew Their Motion to Compel and
15 Motion to Extend Time Regarding Discovery (Dkt. #88) filed August 24, 2012; and Plaintiffs' Sealed
16 Motion for Leave to File Motion for Evidentiary Hearing and Discovery (Dkt. #105) filed September
17 14, 2012. The court has considered the Motions and Defendant Sergio Hale's Response (Dkt. #94),
18 filed September 7, 2012.

19 A review of the court's docket reflects that there is a Sealed Motion to Set Aside Settlement
20 Agreement (Dkt. #87) filed by Plaintiffs on August 23, 2012, pending before the district judge. The
21 motion was filed under seal because it relates the substance of confidential settlement discussions
22 between Plaintiff and defendant Tosado. A sealed stipulation for entry of judgement and stipulated
23 consent judgment are also on file. Unless the district judge grants the motion to set aside the parties
24 settlement agreement Plaintiffs and Tosado have settled, and there are no discovery disputes to resolve,
25 or further discovery to be conducted. Accordingly,

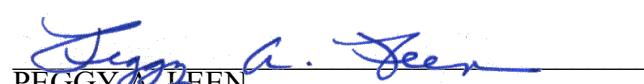
26 Having reviewed and considered the matter,

27 **IT IS ORDERED** that Plaintiffs' Motions (Dkt. ##88, 105) are DENIED WITHOUT

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1 PREJUDICE. Plaintiffs may request that the Motions be set for hearing if the district judge grants
2 Plaintiffs' Motion for Leave to Set Aside Settlement Agreement.

3 Dated this 18th day of September, 2012.

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6 PEGGY A. LEE
7 UNITED STATES MAGISTRATE JUDGE
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